From: California Law360
To: Gorwood, Kathy
Subject: Tom Petty Publisher Hits Spotify With $1.6B IP Suit
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Law360 California

CALIFORNIA

Wednesday, January 3, 2018

TOP NEWS

Tom Petty Publisher Hits Spotify With $1.6B IP Suit

The music publisher representing Tom Petty, Steely Dan, Neil Young, Janis Joplin and other popular musicians hit Spotify Inc. with a copyright infringement suit in California federal court seeking at least $1.6 billion in damages, indicating it would opt out of a proposed $43 million class action settlement reached in other lawsuits over alleged unpaid royalties.
Read more »

Waymo Says Withheld Letter Could Be Uber 'Cover-Up'

Waymo has urged a California federal judge to order Uber to release a list of employees who were aware of a letter from the attorney of a former employee, saying it would help determine whether the letter was "intentionally concealed" during discovery in a suit claiming Uber acquired trade secrets from a former Waymo engineer. Read more »

Pershing, Valeant Agree To $290M Deal Ending Allergan Suits

Hedge fund Pershing Square and Valeant Pharmaceuticals have reached a $290 million preliminary agreement to settle two investor suits in California federal court accusing them of an insider trading scheme in connection with Valeant's attempted $55 billion takeover of Allergan. Read more »

Airbnb Escapes Landlord's Suit Over Rowdy Guests

A California federal judge on Friday shut the door on corporate apartment landlord Aimco's suit over allegedly rowdy Airbnb guests the company said are costing residential buildings money and disturbing residents, finding that Airbnb was immune to the claims. Read more »

9th Circ. Tells EPA To Get To Work On Lead Paint Standard

The Ninth Circuit has ordered the U.S. Environmental Protection Agency to update lead-based paint and dust lead hazard standards, finding that the agency unreasonably delayed acting on environmentalists' petition for a review. Read more »

Class Members Rip Proposed $115M Anthem Data Breach Deal

Several members of a class of consumers who struck a proposed $115 million deal with Anthem Inc. to settle claims related to a massive 2015 data breach on Friday urged a California federal judge to reject the deal, arguing that it is redundant for consumers who already have credit monitoring protection and unfairly punishes those who instead opt for cash.
Read more »

PRODUCT LIABILITY

Fiat Chrysler Faces Class Action Over Alleged Engine Defect

Fiat Chrysler Automobiles has been hit with a putative class action in California federal court, alleging its 2017 and 2018 Chrysler Pacifica vehicles equipped with a 3.6-liter V6 engine contain a design defect that causes the vehicles to stall at high speeds without warning. Read more »

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INTELLECTUAL PROPERTY

Phoenix Comicon Changes Name Amid San Diego TM Fight

The organizers of Phoenix Comicon rebranded the event as Phoenix Comic Fest on Tuesday just days after asking an Arizona federal court to cancel the San Diego Comic Convention's trademark for "Comic-Con," citing the "litigious" nature of the phrase. Read more »

MEDIA & ENTERTAINMENT

Google, YouTube Seek Toss Of Suit Over Conservative Videos

Google and YouTube have asked a California judge to toss a suit accusing the tech giant and its video platform of illegally stifling free speech by restricting and demonetizing the content of a conservative online education group, arguing that all of the group's claims failed under federal law. Read more »

EMPLOYMENT

Individual Settlements Kill PAGA Claims: Calif. Panel

Workers who settle individual claims alleging violations of California labor law lack standing to subsequently pursue claims they bring in the same suit under the state's Private Attorneys General Act, a state appellate court has ruled, upholding the dismissal of PAGA claims brought against a restaurant operator. Read more »

SECURITIES & WHITE COLLAR

SLUSA Spares Bank From $5M Ponzi Suit, Calif. Court Says

A California appeals court has rejected an effort by investors who lost $5 million in a Ponzi scheme to resuscitate their lawsuit against a bank they accused of playing a role in the scam, finding their claims precluded by the Securities Litigation Uniform Standards Act. Read more »

COMPETITION

Ramen Noodle Cos. Must Face Price-Fixing Class Action

A California federal judge refused to let a pair of Korean ramen noodle companies rely on statutes of limitations to dodge a price-fixing class action against them, ruling that evidence destruction means that the Sherman Act claims in the suit weren't time-barred. Read more »

IMMIGRATION

Full 9th Circ. To Rehear Fees Bid In 'No Fly' Case

The full Ninth Circuit has agreed to rehear whether the federal government's alleged persistence in defending the "indefensible" in a case involving a Malaysian woman who was wrongfully placed on a "no fly" list constituted bad faith and entitles her to receive $3.8 million in attorneys' fees. Read more »

Immigrants Accuse Calif. Detention Center Of Labor Abuses

A putative class of immigrants who allege their wages were stolen by the owner of a privately run detention facility in San Diego has sued the company, alleging that it engaged in forced labor and violated federal and state anti-trafficking laws. Read more »

AEROSPACE & DEFENSE

Compel DOD To Report Military Convictions, Cities Tell Court

The cities of New York, Philadelphia and San Francisco, which have filed a lawsuit seeking to prevent deadly shootings involving veterans with military convictions, asked a Virginia federal judge Friday to issue an injunction to compel the U.S. Department of Defense to fully comply with criminal

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database reporting requirements. Read more »

INTERNATIONAL ARBITRATION

$63M Award Against Emirati Unenforceable, 9th Circ. Told

An Emirati man urged the Ninth Circuit on Friday not to revive a Cerner Corp. unit's bid to enforce a $63 million arbitral award it won following a dispute over a $94 million contract to develop a medical information technology platform, arguing that the lower court properly determined that it lacked jurisdiction. Read more »

PEOPLE

Goldberg Segalla Opens LA Office Led By Ex-Sedgwick Atty

Goldberg Segalla kicked off 2018 by announcing it opened a Los Angeles office with strong capabilities in areas including online data security, sports, entertainment and complex product liability litigation that will be led by the former co-chair of Sedgwick LLP's cybersecurity and privacy practice group. Read more »

EXPERT ANALYSIS

Opinion

Can California Survive Without Tort Reform?

High taxes, excessive regulation and a lawsuit-happy culture are pushing businesses out of California — and the taxes they and their employees pay are going with them. Voters must scrutinize new ballot propositions, and demand reform of the state's civil liability system and elimination of unnecessary laws, says Anthony Caso, director of the Claremont Institute's Constitutional Jurisprudence Clinic at Chapman University Fowler School of Law. Read more »

4 Ways Tax Reform May Affect The Sports World

The Tax Cuts and Jobs Act of 2017 limits deductions on state and local income, sales and property taxes up to $10,000 per year. This new limitation may provide certain sports teams, particularly those in states like Texas and Florida, an advantage in attracting and signing talent, say Michael Rueda and David Lehn of Withers Bergman LLP. Read more »

Series

Judging A Book: Tymkovich Reviews 'Gorsuch'

John Greenya's new book, "Gorsuch: The Judge Who Speaks for Himself," offers readers something the confirmation hearings did not — the backstory of Neil Gorsuch and a glimpse of who Justice Gorsuch is, says Chief Judge Timothy Tymkovich of the Tenth Circuit. Read more »

LEGAL INDUSTRY

Analysis

4 Reasons To Hire Out Your Legal Ops

Hiring a legal operations professional to optimize services and boost efficiency in a law department can shift and distribute certain tasks away from GCs and other lawyers, who increasingly are under pressure to deliver more with fewer resources and spend less each year. Here, experts identify four benefits of adopting a legal ops function. Read more »

Justice Roberts Orders Review Of Sexual Harassment Policies

Chief Justice John Roberts has announced that the federal judiciary's methods for addressing sexual harassment will be examined this year, after outcry from former clerks and the recent resignation of Ninth Circuit Judge Alex Kozinski thrust the issue into the spotlight. Read more »

Fed. Filings Hit Record Low Last Year, Justice Roberts Says

The number of cases filed in federal courts declined at all levels last year,

The Boeing Company
Twitter Inc.
Tyson Foods Inc.
U.S. Chamber of Commerce
Uber Technologies Inc.
Valeant Pharmaceuticals International
Washington Post Co.
YouTube Inc.

GOVERNMENT AGENCIES

Federal Aviation Administration
Federal Bureau of Investigation
International Chamber of Commerce
Korea Fair Trade Commission
National Highway Traffic Safety Administration
San Francisco International Airport
Securities and Exchange Commission
U.S. Department of Defense
U.S. Department of Defense Office of Inspector General
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Environmental Protection Agency
U.S. Immigration and Customs Enforcement
U.S. Supreme Court

with seven-year lows at the U.S. Supreme Court, intermediate appellate courts, federal district courts and U.S. bankruptcy courts, according to a report from Chief Justice John Roberts released Sunday. Read more »

Ex-Dewey Exec DiCarmine Unable To Bury Hatchet With SEC

Former Dewey & LeBoeuf LLP executive director Stephen DiCarmine, who was acquitted of criminal charges in May, has been unable to settle U.S. Securities and Exchange Commission fraud claims after months of trying and is due in Manhattan federal court Friday. Read more »

Simpson Thacher Accused Of Owing $937K To Recruiting Firm

Simpson Thacher & Bartlett LLP has been sued for $937,500 in New York federal court by a legal recruiter that claims it's owed a search fee for introducing the firm to a lateral partner candidate who joined its bankruptcy practice last fall. Read more »

Analysis

15 Minutes With Rolta AdvizeX's General Counsel

Meet Melloney Douce, general counsel of information technology service management company Rolta AdvizeX, who has been working for the Rolta brand for nearly a decade. Read more »

The Top In-House Hires Of December

December's notable legal department hires included new GC appointments at the Kraft Heinz Co., Tyson Foods and TSB Bank. Read more »

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